

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN

| | | |
|---------------|---|----------------------|
| In re: |) | |
| |) | Case No. 13-35247-pp |
| EDITH BRIGGS, |) | Chapter 13 |
| |) | |
| Debtor. |) | |

NOTICE AND REQUEST TO MODIFY CHAPTER 13 PLAN

Edith Briggs has filed papers with the court requesting modification of the Chapter 13 Plan in the above case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to modify the plan as proposed, or if you want the court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the court a written request for hearing which shall contain a short and plain statement of the factual and legal basis for the objection. File your written request at:

Clerk of Bankruptcy Court
517 E. Wisconsin Avenue, Room 126
Milwaukee, WI 53202-4581

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Nathan E. DeLadurantey
DeLadurantey Law Office, LLC
735 W. Wisconsin Avenue, Suite 720
Milwaukee, WI 53233

If you or your attorney does not take these steps, the court may decide that you do not oppose the request and may enter an order modifying the Plan.

REQUEST TO MODIFY CHAPTER 13 PLAN

1. The Proponent of this modification is:
 - A. X the Debtor;
 - B. the Chapter 13 Trustee (post-confirmation modifications only);
 - C. the holder of an unsecured claim (Name:) (post-confirmation only).
2. This is a request to modify a Chapter 13 Plan (Select A. or B.):
 - A. post-confirmation;
 - B. X pre-confirmation (Select i. or ii.);
 - i. X Debtor(s)/Debtor(s) attorney certifies that the proposed modification does not materially adversely affect creditors (LBR 3015(b)); or
 - ii. Debtor(s)/Debtor(s) attorney certifies that the proposed modification materially adversely affects only the following creditors and a copy of the proposed modification has been served on them (Local Bankruptcy Rule 3015(b)). The creditors affected are:
3. The Proponent wishes to modify the Chapter 13 Plan to do the following: Increase plan payment to maintain feasibility
4. The reason(s) for the modification is/are: IRS claim is much higher than anticipated.
5. Select A. or B.
 - A. The Chapter 13 Plan confirmed or last modified on is modified as follows:
 - B. X The unconfirmed Chapter 13 Plan dated November 24, 2013, is modified as follows:

2. Plan Payments

The debtor shall pay \$150 weekly to the Trustee via periodic payroll deductions from the debtor's wages.

All remaining terms and provisions of the Plan are unaffected unless specifically addressed herein. In the event of a conflict between the original Plan and the modification set forth above, the latter shall supersede and control.

6. BY SIGNING BELOW THE PROPONENT OF THE MODIFICATION CERTIFIES THAT, AFTER REVIEW OF THE MODIFICATION AND ALL OTHER TERMS AND PROVISIONS OF THE PLAN, THOSE REMAINING TERMS AND PROVISIONS OF THE PLAN ARE CONSISTENT WITH THE PROPOSED MODIFICATIONS.

CERTIFICATION

I, Nathan E. DeLadurantey, attorney for debtor, Edith Briggs, certify that I have reviewed the modification proposed above with the debtor, and that the debtor has authorized me to file it with the court.

/s/ Nathan E. DeLadurantey

Counsel for the debtors

February 10, 2014

Date

WHEREFORE, the Proponent requests that the court approve the modification to the Chapter 13 Plan as stated herein.

Dated: February 10, 2014.

DeLadurantey Law Office, LLC
Attorneys for Debtor

/s/

By: Nathan E. DeLadurantey
State Bar No. 1063937

Drafted by:
Daniel T. Beasley
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735 W Wisconsin Ave., Suite 720
Milwaukee, WI 53233
(414) 377-0515; Fax (414) 755-0860
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A copy of the foregoing filed electronically on February 10, 2014 with:

Clerk, U.S. Bankruptcy Court
517 East Wisconsin Avenue
Milwaukee, WI 53202

Copies of the foregoing mailed or sent electronically
if the party named accepts electronic service on February 10, 2014:

Office of the U.S. Trustee
517 East Wisconsin Avenue, #430
Milwaukee, WI 53202

Mary B. Grossman
PO Box 510920
Milwaukee, WI 53203

/s/Caitlin York, Paralegal
(Electronically file by)